

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

STEPHEN R. BROWN,

Plaintiff,

v.

CIVIL ACTION NO. 3:07-cv-00418

MICHAEL J. ASTRUE
Commissioner of Social Security,

Defendant.

MEMORANDUM OPINION AND ORDER

In this action, plaintiff seeks review of the final decision of the Commissioner of the Social Security Administration denying his applications for disability insurance benefits and supplemental security income. The case is presently pending before this court on plaintiff's Memorandum in Support of Plaintiff's Motion for Judgment on the Pleadings [Docket 12] and the Commissioner's Memorandum in Support of Judgment on the Pleadings [Docket 13].

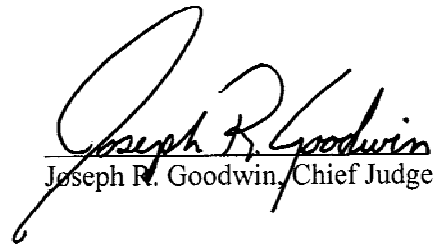
This action was referred to the Honorable Maurice G. Taylor, Jr., United States Magistrate Judge, for submission to this court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). On June 29, 2009, the Magistrate Judge submitted his *Findings and Recommendation* wherein he recommended that the court deny the plaintiff's motion, grant the defendant judgment on the pleadings, and affirm the final decision of the Commissioner.

Neither party has filed objections to the Magistrate Judge's findings and recommendation.

Accordingly, the court **ADOPTS** and incorporates herein the findings and recommendation of the Magistrate Judge. The court **DENIES** the plaintiff's motion, **GRANTS** the Commissioner judgment on the pleadings, **AFFIRMS** the final decision of the Commissioner, and **DISMISSES** this action from the court's docket.

The court **DIRECTS** the Clerk to send a certified copy of this Order to Magistrate Judge Taylor, counsel of record, and any unrepresented party.

ENTER: July 20, 2009


Joseph R. Goodwin, Chief Judge